

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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BONNIE CLAIBORNE,

Plaintiff,

- against -

ORDER
17-CV-6692 (RRM) (ARL)

WINTHROP UNIVERSITY HOSPITAL,

Defendant.

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ROSLYNN R. MAUSKOPF, Chief United States District Judge.

Bonnie Claiborne brought this *pro se* action against Winthrop University Hospital (“Winthrop”), alleging violations of the Age Discrimination in Employment Act, Title VII of the Civil Rights Act, the Americans with Disabilities Act, and the Family and Medical Leave Act (“FMLA”) (Complaint (Doc. No. 1).) By order dated March 25, 2019, Judge Bianco adopted a Report and Recommendation (“R&R”) by Magistrate Judge Brown, which recommended dismissing all of Claiborne’s claims excluding her FMLA claims and granting Claiborne leave to file an amended complaint by April 30, 2019. (Order Adopting R&R (Doc. No. 32).) On April 30, 2019, Claiborne timely filed an amended complaint. In a Memorandum and Order issued on September 28, 2020, and mailed to Claiborne on October 8, 2020, this Court dismissed Claiborne’s amended complaint. (Memorandum and Order (Doc. No. 45).) The Court granted Claiborne thirty days’ leave to file a second amended complaint in accordance with that Memorandum and Order. (*Id.* at 7.) The Court warned Claiborne that if she failed to file a second amended complaint within the time allowed, this action would be dismissed without prejudice and judgment would be entered against her. (*Id.*)

More than thirty days have now elapsed since the issuance of the Memorandum and Order and the mailing to Claiborne. To date, Claiborne has not filed a second amended

complaint. Accordingly, for the reasons set forth in the Court's Memorandum and Order dated September 28, 2020, it is

ORDERED that this action is dismissed without prejudice. The Clerk of Court is respectfully directed to enter judgment for defendant, to mail a copy of the judgment and this Order to Claiborne, to note that mailing on the docket sheet, and to close this case.

SO ORDERED.

Dated: Brooklyn, New York
November 16, 2020

Roslynn R. Mauskopf

ROSLYNN R. MAUSKOPF
Chief United States District Judge